

IN RE: PETITION FOR ZONING VARIANCE
SE/S Pulaski Highway, 675' NE
of the c/l of 68th Street
(7667 Pulaski Highway)
15th Election District
7th Councilmanic District

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 90-358-A

Beal GMC Truck, Inc. and
Wilkie Buick Bimost Corp. -
Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance from Section 413.6(b) (1) and (2) to permit a freestanding, double-faced business sign of 198 sq.ft. total in lieu of the maximum permitted 25 sq.ft., with a height of 25 feet in lieu of the permitted 6 feet above grade level of the street or lot, whichever is greater, and to permit three (3) business signs in lieu of the one (1) permitted, two (2) of which are already existing, yielding 628 sq.ft. total in lieu of the maximum permitted 25 sq.ft., all as more particularly described in Petitioner's Exhibit 1.

The Petitioners, by Harvey M. Beal, III, appeared, testified and were represented by William M. Hesson, Jr., Esquire. Also appearing on behalf of the Petition was W. Thomas Parr, Engineer. Phyllis Friedman, Esquire, appeared on behalf of the People's Counsel for Baltimore County. There were no Protestants.

Testimony indicated that the subject property, known as 7667 Pulaski Highway, consists of 6.83 acres split zoned M.L.-C.S.-1, M.L.-I.M. and M.H.-I.M. and is the site of the Beal GMC Truck dealership. Testimony indicated that Petitioners have recently acquired a Peterbilt Truck franchise and are desirous of erecting a new identification sign to advertise same. Petitioners have received numerous requests over the past year from Peterbilt regarding the erection of the subject sign. Petitioner testi-

fied that they have been advised by the Peterbilt Truck Company that their franchise may be in jeopardy if the requested signage is not in place in the near future. Testimony indicated that Peterbilt requires the erection of a sign which reflects the company's logo as depicted in Petitioner's Exhibit 1. Testimony further indicated that the subject site currently possesses two (2) GMC Truck identification signs, identified as Signs "A" and "B" on Petitioner's Exhibits 1 and 2. Sign "A" is 25 feet high with 260 sq.ft. of double-faced signage and Sign "B" is 24 feet in height with 170 sq.ft. of double-faced signage. Petitioner testified the relief requested will not result in any detriment to the health, safety or general welfare of the surrounding community.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

The Petitioners argued that the two existing Signs "A" and "B" were established in Case No. 87-415-A which dealt with an area variance for the sales building. Said signs were shown on the site plan submitted

in that case and subsequently authorized by the relief granted. The old signs were grandfathered into the subject property, which is predominantly zoned M.L. However, Signs "A" and "B" are not at issue here. The issue is what to do with proposed Sign "C" which, if granted, would greatly exaggerate the square footage of signage on the subject property.

A solution to this dilemma would be to permit one of the existing signs to be converted to accommodate the proposed Peterbilt signage. In this way, adequate signage will be provided for both the existing GMC truck dealership and the proposed Peterbilt franchise and at the same time remain consistent with the spirit and intent of the B.C.Z.R.

It is clear from the testimony that if the variances are granted, in part, such use as proposed would not be contrary to the spirit of the B.C.Z.R. and would not result in substantial detriment to the public health, safety, and general welfare. The amount of signage requested is excessive and unnecessary. Therefore, a modified relief shall be granted as hereinafter set forth.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variances requested, as modified, should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 13th day of April, 1990 that the Petition for Zoning Variance to permit a freestanding, double-faced business sign of 198 sq.ft. total in lieu of the maximum permitted 25 sq.ft., with a height of 25 feet in lieu of the permitted 6 feet above level for proposed Sign "C" for a total signage of 458 sq.ft., be and is hereby DENIED; and,

IT IS FURTHER ORDERED that the Petition for Zoning Variance to permit three (3) business signs in lieu of the one (1) permitted, two (2)

of which are already existing, yielding 628 sq.ft. total in lieu of the maximum permitted 25 sq.ft., be and is hereby DENIED; and,

IT IS FURTHER ORDERED that Petitioners shall have the option of converting either existing Sign "A" or Sign "B" to accommodate proposed Sign "C", as indicated in Petitioner's Exhibit 1, subject, however, to the following restrictions which are conditions precedent to the relief granted:

- 1) The Petitioners may apply for their sign permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- 2) The relief granted herein is limited to two (2) freestanding signs yielding a total signage for the subject site of 458 sq.ft.
- 3) Petitioners shall submit a new sign plan incorporating the relief granted herein prior to the issuance of any permits.

JRH:bjs

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING

Date *4/13/90*
By *J. Robert Haines*

ORDER RECEIVED FOR FILING

Date *4/13/90*
By *J. Robert Haines*

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By *J. Robert Haines*

ORDER RECEIVED FOR FILING

Date *4/13/90*
By *J. Robert Haines*

Baltimore County
Zoning Commission
Office of Planning & Zoning
Townson, Maryland 21204
(301) 887-3333

J. Robert Haines
Zoning Commissioner

April 13, 1990

William M. Hesson, Jr., Esquire
Nolan, Plunhoff & Williams
100 Court Towers
210 W. Pennsylvania Avenue
Townson, Maryland 21204

Dennis F. Rasmussen
County Executive

RE: PETITION FOR ZONING VARIANCE
SE/S of Pulaski Highway, 675' NE of the c/l of 68th Street
(7667 Pulaski Highway)
15th Election District - 7th Councilmanic District
Beal GMC Truck, Inc. and Wilkie Buick Bimost Corp. - Petitioners
Case No. 90-358-A

Dear Mr. Hesson:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted, in part, in accordance with the attached order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,
J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner
for Baltimore County

JRH:bjs

cc: People's Counsel
File

PETITION FOR ZONING VARIANCE TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 90-358-A

The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 413.6(b)(1) and (2) to permit a freestanding business sign with a height of 25 feet in lieu of the permitted 6 feet above level and to permit a double face sign with 198 square feet area in lieu of the 25 square feet permitted; two (2) of which are existing, yielding a total area of 458 sq. ft. in lieu of the 25 sq. ft. of the Zoning Regulations of Baltimore County to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

1. Existing signs are 25 feet tall of similar design and the subject sign would not be practically visible if not of the requested size and height.
2. The requested sign is of a design of manufacturer and franchise is at risk without such a sign.
3. Further reasons which will be explained at the hearing on this petition.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:

(Type or Print Name)

Signature

Address

City and State

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

City and State

Attorney's Telephone No.: 823-7800

Legal Owner(s): Beal GMC Truck, Inc. and Wilkie Buick Bimost Corporation

(Type or Print Name)

Signature

Address

City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

William M. Hesson, Jr.

7667 Pulaski Highway

Baltimore, Maryland

21237

City and State

Signature

Address

City and State

Attorney's Telephone No.: 823-7800

Address

City and State

ORDERED BY The Zoning Commissioner of Baltimore County, this 13th day of April, 1990.

That the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 100, County Office Building in Townson, Baltimore County, on the 16th day of March, 1990, at 2:45 o'clock P.M.

County, on the 16th day of March, 1990, at 2:45 o'clock P.M.

J. Robert Haines

Zoning Commissioner of Baltimore County.

APPROVED FOR FILING

ALL OTHERS - BY AND FOR THE

FILED 12/24/91

Walter T. Parr

Michael K. Smith, P.L.S.

BPS/land technology, inc.

Engineers & Surveyors

P.O. Box 5614 • Baltimore, MD 21210 • (301) 435-0800

DESCRIPTION OF A 6.832 ACRE PARCEL

KNOWN AS 7667 PULASKI HIGHWAY

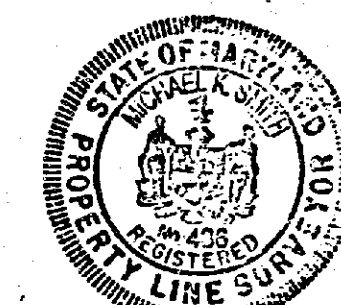
15TH ELECTION DISTRICT

BALTIMORE COUNTY, MARYLAND

Beginning for the same on the Southeasternmost right-of-way line of Pulaski Highway, thence for the following eleven (11) courses and distances:

- 1.) North 58 degrees 57 minutes 13 seconds East 26.00 feet.
- 2.) South 31 degrees 02 minutes 13 seconds East 60.00 feet.
- 3.) North 58 degrees 57 minutes 13 seconds East 60.00 feet.
- 4.) North 31 degrees 02 minutes 13 seconds East 117.53 feet.
- 5.) North 58 degrees 57 minutes 13 seconds East 125.00 feet.
- 6.) North 31 degrees 04 minutes 50 seconds East 125.00 feet.
- 7.) South 43 degrees 14 minutes 10 seconds West 371.01 feet.
- 8.) South 76 degrees 37 minutes 23 seconds West 187.83 feet.
- 9.) South 16 degrees 53 minutes 50 seconds West 202.40 feet.
- 10.) North 78 degrees 38 minutes 50 seconds West 518.77 feet.
- 11.) North 78 degrees 38 minutes 50 seconds West 518.77 feet.

This description was prepared from a deed recorded among the Land Records of Baltimore County in Liber E.H.K. Jr. No. 710, folio 178 and was done as for zoning purposes only. This description does not represent a survey by the undersigned.



Michael K. Smith

receipt

Account: R-001-6150

Number

N: 816

Baltimore County
Zoning Commission
County Office Building
111 West Chesapeake Avenue
Townson, Maryland 21204

Date

12/24/91

HY000210

PUBLIC HEARING FEES

QTY

PRICE

020 - ZONING VARIANCE (OTHER)

1 X

\$175.00

LAST NAME OF OWNER: BEAL

TOTAL:

\$175.00

Online Validation

8 025 *****1750018 22688

Please make checks payable to: Baltimore County

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME
HARVEY BEAL III
W. Thomas Parr
William M. Hesson, Jr.

ADDRESS

7667 PULASKI HWY BALT

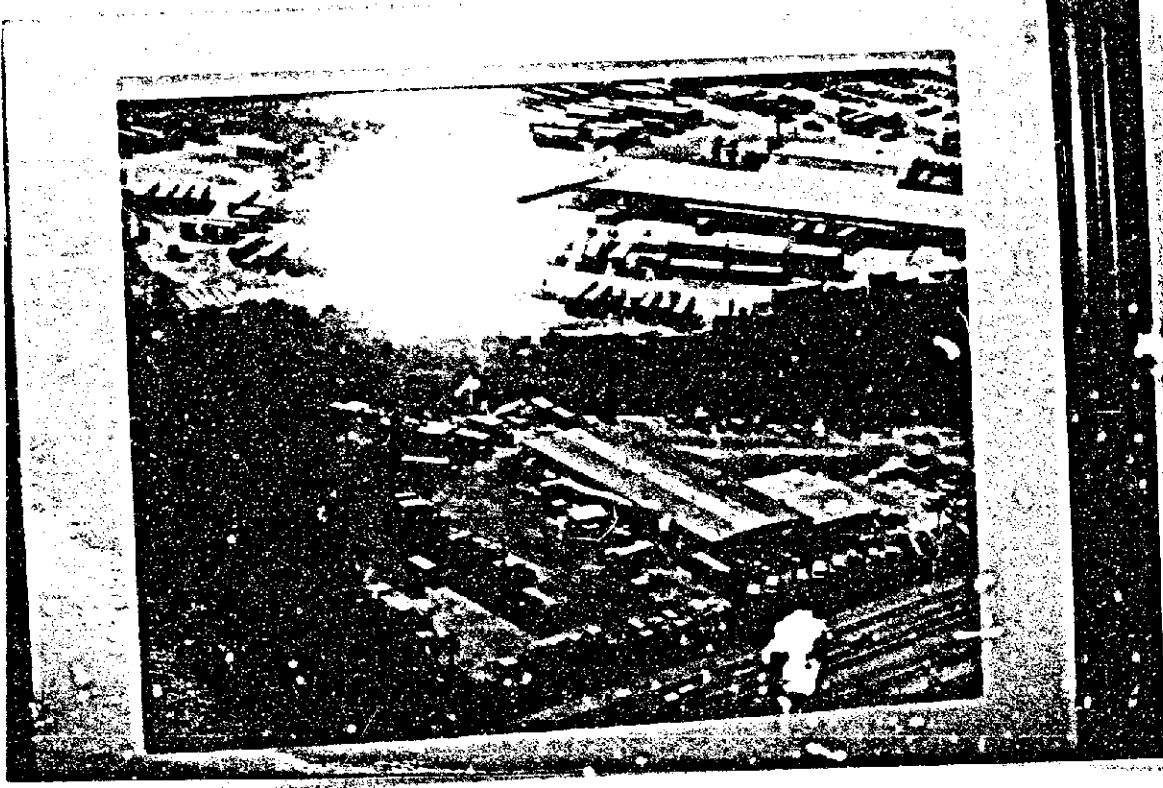
1602 BOSWORTH CT. BALT, MD.

Suite 700 COURT TOWERS

310 W. P. Ave 21204

90-358A

PETITIONER(S) EXHIBIT (2)



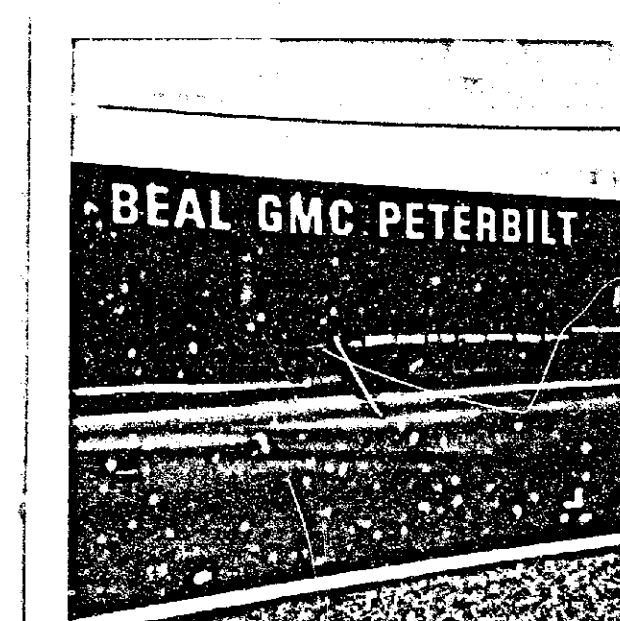
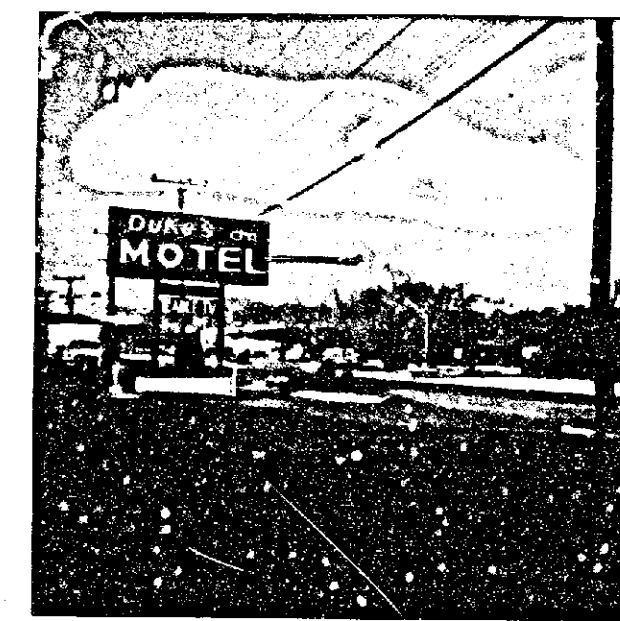
90-358A

PETITIONER(S) EXHIBIT (2)



90-358A

PETITIONER(S) EXHIBIT (2)



PETITIONER'S EXHIBIT 3

90-358A
DEALER AGREEMENT

- Wherever the name "PETERBILT" appears in this Agreement, it shall refer collectively to the principal owners and active managers named in Paragraph 17 hereof and to BEAL GMC TRUCK, INC., a corporation, of the State of Maryland, whose official mailing address for purposes of this Agreement shall be: 7667 Pulaski Highway, Baltimore, Maryland 21237.
- Wherever the term "DEALER" appears in this Agreement, it shall refer collectively to the principal owners and active managers named in Paragraph 17 hereof and to BEAL GMC TRUCK, INC., a corporation, of the State of Maryland, whose official mailing address for purposes of this Agreement shall be: 7667 Pulaski Highway, Baltimore, Maryland 21237.
- The purpose of this Agreement is to describe the respective functions, obligations and responsibilities of PETERBILT and the DEALER, so that the DEALER is fully aware of the circumstances under which dealer commits time, effort and capital.
- PETERBILT will sell to DEALER for resale by DEALER, PETERBILT chassis and replacement parts in such quantities as the DEALER may order and PETERBILT is reasonably able to supply, at the prices and discounts in effect from time to time. Orders shall be submitted on standard PETERBILT purchase order forms.
- DEALER will maintain a sales and service organization which will be adequate to realize the full potential of DEALER's area of primary responsibility and which will reflect favorably upon and preserve the good will of the DEALER, PETERBILT and all other PETERBILT dealers. At such time as sales show the requirement for additional facilities within the market area, DEALER will be expected to establish outlets in such locations with the prior written approval of PETERBILT. DEALER is not authorized under the terms of this Agreement to maintain a facility for the sale of PETERBILT products except at a location approved by PETERBILT in writing.

Page 1 of 7

CERTIFICATE OF PUBLICATION

OFFICE OF
Dundalk Eagle

4 N. Center Place
P.O. Box 8936
Dundalk, Md. 21222

February 22, 1990

THIS IS TO CERTIFY, that the annexed advertisement of J. Robert Haines in the matter of Zoning Hrgs. Case #90-358-A - P.O. #0102712 - Reg. #M39819 - 87 Times was inserted in The Dundalk Eagle a weekly newspaper published in Baltimore County, Maryland, once a week for one successive weeks before the 23rd day of February 1990; that is to say, the same was inserted in the issues of Feb. 22, 1990

Kimbel Publication, Inc.
per Publisher.

By *[Signature]*

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

Date of Posting: 2/13/90

District: 1574
Posted for: *[Signature]*
Petitioner: *[Signature]*
Location of property: 7667 Pulaski Hwy, 675 NE/65th ST
Location of Sign: *[Signature]*
Remarks: *[Signature]*
Posted by: *[Signature]*
Number of Signs: 1

50

Peterbilt

March 13, 1989

Messrs. Harvey Beal, Jr. and
Harvey Beal, III
Beal Peterbilt of Baltimore
7667 Pulaski Highway
Baltimore, MD 21237

PETITIONER'S EXHIBIT 4

90-358A

Gentlemen:
The dealer agreement between Beal Peterbilt of Baltimore, Inc. and Peterbilt Motors Company expires on April 13, 1989. Prior to the renewal of any dealer agreement, Peterbilt reviews the performance of the dealer and determines whether their performance substantially complies with the terms of the dealer agreement. Beal Peterbilt of Baltimore, Inc. has not substantially complied with the key requirements of the dealer agreement.

Specifically, the dealer agreement states annual sales goals will be one of the important measures of dealer's performance. Beal Peterbilt's purchase of 8 new Peterbilts, compared to a goal of 33 units, for the period of May through December, 1988 ranks last in sales performance among northeast region dealers.

The dealer agreement also states that the dealer will maintain a sales and service organization which will be adequate to realize the full potential of dealer's territory and which will reflect the full potential of dealer's territory and which will reflect favorably upon and preserve the goodwill of the dealer, Peterbilt and all other Peterbilt dealers. An addendum to your agreement and all other Peterbilt dealers. An addendum to your agreement and all other Peterbilt dealers. An addendum to your agreement and all other Peterbilt dealers.

General sales management has not produced effective sales results. Your time, efforts and interest appear directed toward light and medium duty truck sales of General Motors products. Specifically, you have not devoted personal attention to developing an effective Peterbilt sales force. Target accounts have not been identified nor have you participated in or made personal sales calls on such accounts. Moreover, the dealership has not directed sales efforts toward niche markets such as construction, small or private fleets, owner/operators, or refuse customers, nor has Beal Peterbilt effectively advertised in its market.

PETERBILT MOTORS COMPANY 1000 FIRST AVENUE, KING OF PRUSSIA, PENNSYLVANIA 19406 215/768 9150
A DIVISION OF PACCAR

December 11, 1989

PETITIONER'S EXHIBIT 5

90-358A

Messrs. Harvey Beal, Jr.
and Harvey Beal, III
BEAL PETERBILT OF BALTIMORE
7667 Pulaski Highway
Baltimore, Maryland 21237

SUBJECT: Quarterly Progress Review of Operations

Dear Harveys:

Ray Paradis and I thank you for your time devoted to our visit November 28th and 29th and your elaboration and candor discussing progress of various operational activities and issues relating to the Peterbilt dealership, ranchise.

As a recap of these discussions, we addressed those topics conveyed in our July 19, 1989 letter concerning our July, 89 operations review. Our discussion this visit was on those same issues and are as follows:

- 1) APPOINTMENT OF A PETERBILT SALES MANAGER WHOSE DUTY ARE DEVOTED EXCLUSIVELY TO DEVELOPING PETERBILT SALES.

Harvey, III continues acting in this role and is devoting more of his time in this sphere versus the Service Management role. You felt your new Service Manager is developing shop management to the extent Harvey's time can be fully committed to Peterbilt Sales Management within three to six months.

Harvey, III reported gaining confidence on product spec'ing and pricing this past quarter. Further, Harvey, III expressed a willingness to attend appropriate Peterbilt formal training courses the coming quarter when such courses might be offered. You indicated some of the sales people are now coming to you with product questions.

We see the above progress as timely and trust you will continue the ongoing education with Peterbilt product familiarization and pricing.

We expressed our concern for that lack of total Peterbilt Sales Management devotion without service operations interruptions. We think this is required to provide the leadership to the sales force and to achieve your many sales objectives required to satisfy performance.

PETERBILT MOTORS COMPANY 430 MYATT DRIVE P.O. BOX 487 MADISON, TENNESSEE 37115 (615) 865-8910
A DIVISION OF PACCAR

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
SE/8 of Pulaski Hwy., 675' NE : OF BALTIMORE COUNTY
of 68th St. (7667 Pulaski Hwy.) :
15th Election District :
7th Councilmanic District :
BEAL GMC TRUCK, INC. AND : Case No. 90-358-A
WILKIE BUICK BINMOT :
CORPORATION, Petitioners :

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

[Signature]
Phyllis Cole Friedman
People's Counsel for Baltimore County

[Signature]
Peter Max Zimmerman
Deputy People's Counsel
Room 304, County Office Building
Towson, Maryland 21204
887-2188

I HEREBY CERTIFY that on this 26th day of February, 1990, a copy of the foregoing Entry of Appearance was mailed to William M. Hesson, Jr., Esquire, Nolan, Plumhoff & Williams, Chd., Suite 700, Court Towers, 210 W. Pennsylvania Ave., Towson, MD 21204, Attorney for Petitioners.

[Signature]
Peter Max Zimmerman

NOTICE OF HEARING
The Zoning Commission of Baltimore County, Maryland, is holding a public hearing on the proposed zoning variance for the property located at 7667 Pulaski Highway, Baltimore, Maryland 21237. The hearing will be held on Friday, March 15, 1990, at 2:45 p.m. in the County Office Building, Room 106, 111 W. Chesapeake Avenue, Towson, Maryland 21204.

CERTIFICATE OF PUBLICATION

TOWSON, MD., February 22, 1990
THIS IS TO CERTIFY that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Feb 22, 1990

THE JEFFERSONIAN

S. C. Orlan
Publisher

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner



Your petition has been received and accepted for filing this
17th day of January, 1989.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

Received By:

James E. Dyer
Chairman,
Zoning Plans Advisory Committee

Petitioner: Beal GMC Truck, et al
Petitioner's Attorney: William H. Hesson, Jr.

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: January 19, 1990
FROM: Robert W. Bowling, P.E.
SUBJECT: Zoning Advisory Committee Meeting
for January 16, 1990.

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 182, 209, 211, 213, 215, 216 and 218.

For Items 214 and 222 the County Review Group Comments for each item still apply.

For Item 217 the County Review Group Comments still apply. There are many discrepancies on the boundary of the storm water management reservation compared to the record plat, and an 8-foot vertical difference in grades between Sections 1 and 2 adjacent to lot 74.

Robert W. Bowling
ROBERT W. BOWLING, P.E., Chief
Developers Engineering Division

RWB:s

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner

Beal GMC Truck, Inc.
Wilkie Buick Bimost Corporation
7667 Pulaski Highway
Baltimore, Maryland 21237

ATTN: HARVEY BEAL

Re: Petition for Zoning Variance
CASE NUMBER: 90-358-A
SE/5 of Pulaski Highway, 675' NE of c/l of 68th Street
7667 Pulaski Highway
15th Election District - 7th Councilmanic
Petitioner(s): Beal GMC Truck, Inc. and Wilkie Buick
HEARING: FRIDAY, MARCH 15, 1990 at 2:45 p.m.

Gentlemen:
Please be advised that \$ 117.41 is due for advertising and posting of the above captioned property.



Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150

No 1753

90-358

Date: 3/16/90
PUBLIC HEARING FEES QTY PRICE
080 -POSTING SIGNS / ADVERTISING 1 X \$117.41
TOTAL: \$117.41
LAST NAME OF OWNER: BEAL

Cashier Validation: B 132*****11751: a 3192f
Please make checks payable to: Baltimore County



Maryland Department of Transportation
State Highway Administration

January 26, 1990

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204
Attention: James Dyer

Dear Mr. Haines:

I have reviewed the plans, and conducted an on-site inspection of the area, 1-26-90, concerning the above subject.
We have no objections to the location of the signs as per plans submitted. This office has no jurisdiction over on-premise signs, unless they present a traffic hazard.

Sincerely,

George T. Dawson
George T. Dawson, Chief
Highway Beautification Section

GTD:jsk

RECEIVED
JAN 30 1990
ZONING OFFICE

My telephone number is (301) 333-1641
Teleprinter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner

February 2, 1990

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance
CASE NUMBER: 90-358-A
SE/5 of Pulaski Highway, 675' NE of c/l of 68th Street
7667 Pulaski Highway
15th Election District - 7th Councilmanic
Petitioner(s): Beal GMC Truck, Inc. and Wilkie Buick
HEARING: FRIDAY, MARCH 15, 1990 at 2:45 p.m.

Variance: To permit a freestanding business sign with a height of 25 ft. in lieu of the permitted 8 ft. above level and to permit a double face sign with 198 sq. ft. area in lieu of the 25 sq. ft. permitted; and to permit three signs in lieu of the permitted one, two of which are existing, yielding a total area of 628 sq. ft. in lieu of the permitted 25 sq. ft.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER
BALTIMORE COUNTY, MARYLAND

JRH:s
cc: Petitioners

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner
FROM: Pat Keller, Deputy Director
Office of Planning and Zoning
SUBJECT: Beal GMC Truck, Inc. and Wilkie Buick Bimost Corporation,
Item 215

DATE: February 7, 1990

The Petitioners request a Variance to permit a freestanding business with a height of 25 ft. in lieu of the permitted 6 ft. above level and to permit a double-face sign with 198 sq. ft. in lieu of the 25 sq. ft. permitted; two of which are existing, yielding a total area of 628 sq. ft. in lieu of the permitted 25 sq. ft.

In reference to the Petitioners' request, staff offers the following comments:

- Variance of sign height would not be necessary if the subject property was located in a business zone.
- Staff recommends sign "B", a duplicate of sign "A", be removed in order to receive this office's endorsement for the Peterbilt sign.

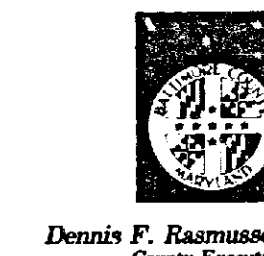
If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

Baltimore County
Fire Department
700 East Joppa Road, Suite 901
Towson, Maryland 21204-5500
(301) 887-4500

Paul H. Reincke
Chief

JANUARY 29, 1990

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204



RE: Property Owner: BEAL GMC TRUCK, INC.
Location: SE/5 OF PULASKI HIGHWAY
Item No.: 215 Zoning Agenda: JANUARY 16, 1990
Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *Pat Keller* 1-30-90 Noted and Approved
Planning Group Fire Prevention Bureau
Special Inspection Division

JK/KEK

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner

March 12, 1990

William M. Hesson, Esquire
Nolan, Plumbhoff & Williams, Chtd
Suite 700, Court Towers
210 W. Pennsylvania Avenue
Towson, MD 21204

RE: Item No. 215, Case No. 90-358-A
Petitioner: Beal GMC Truck, et al
Petition for Zoning Variance

Dear Mr. Hesson:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

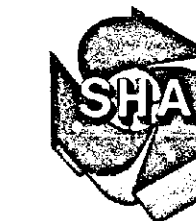
Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:hw

Enclosures

cc: Mr. Harvey Beal
Beal GMC Truck, Inc.
7667 Pulaski Hwy
Baltimore, MD 21237



Maryland Department of Transportation
State Highway Administration

Richard H. Trainor
Secretary
Hal Kassoff
Administrator

January 19, 1990

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Baltimore County
Beal GMC Truck, Inc.
Zoning Meeting of 1-16-90
S/S Pulaski Highway
(Route 40-E) 675' East of
68th Street
(Item #215)

Attn: Mr. James Dyer

Dear Mr. Haines:

After reviewing the submittal for a variance to permit a free standing business sign with a height of 25 feet in lieu of the permitted 6 feet above level and to permit a double face sign with 198 square feet area in lieu of the 25 square feet permitted and to permit three signs in lieu of the permitted one, two of which are existing yielding a total area of 628 square feet in lieu of the permitted 25 square feet, we have forwarded this plan to our Highway Beautification Section, c/o George Dawson (332-1642) for all comments relative to zoning.

If you have any questions, please contact Larry Brocato at 333-1350.

Very truly yours,

Charles Rose
Charles Rose, Acting Chief
Engineering Access Permits
Division

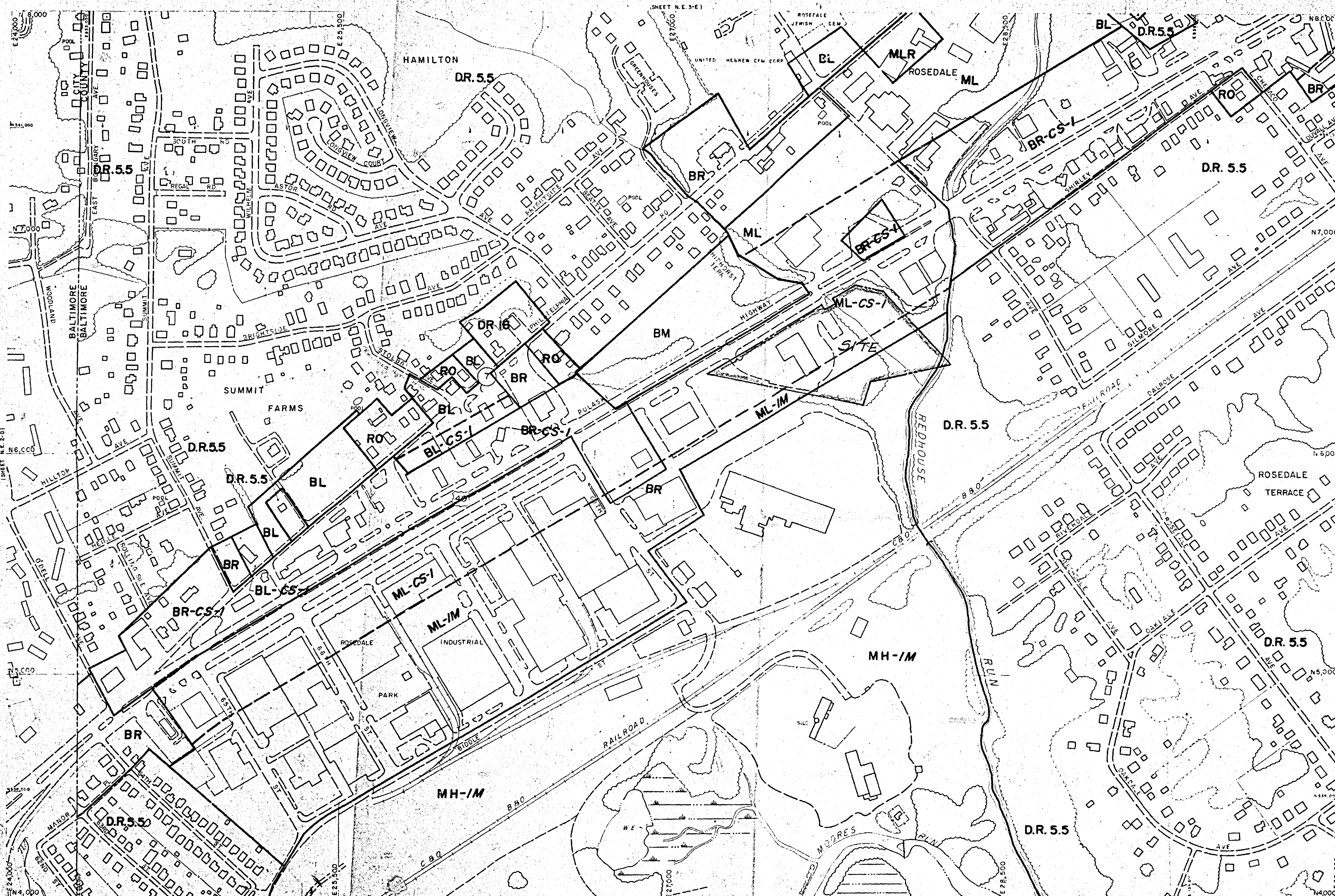
LB:maw

cc: Beal GMC Truck
Mr. J. Ogle
Mr. George Dawson

RECEIVED
JAN 23 1990
ZONING OFFICE

My telephone number is (301) 333-1350 (Fax #333-1041)

Teleprinter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717



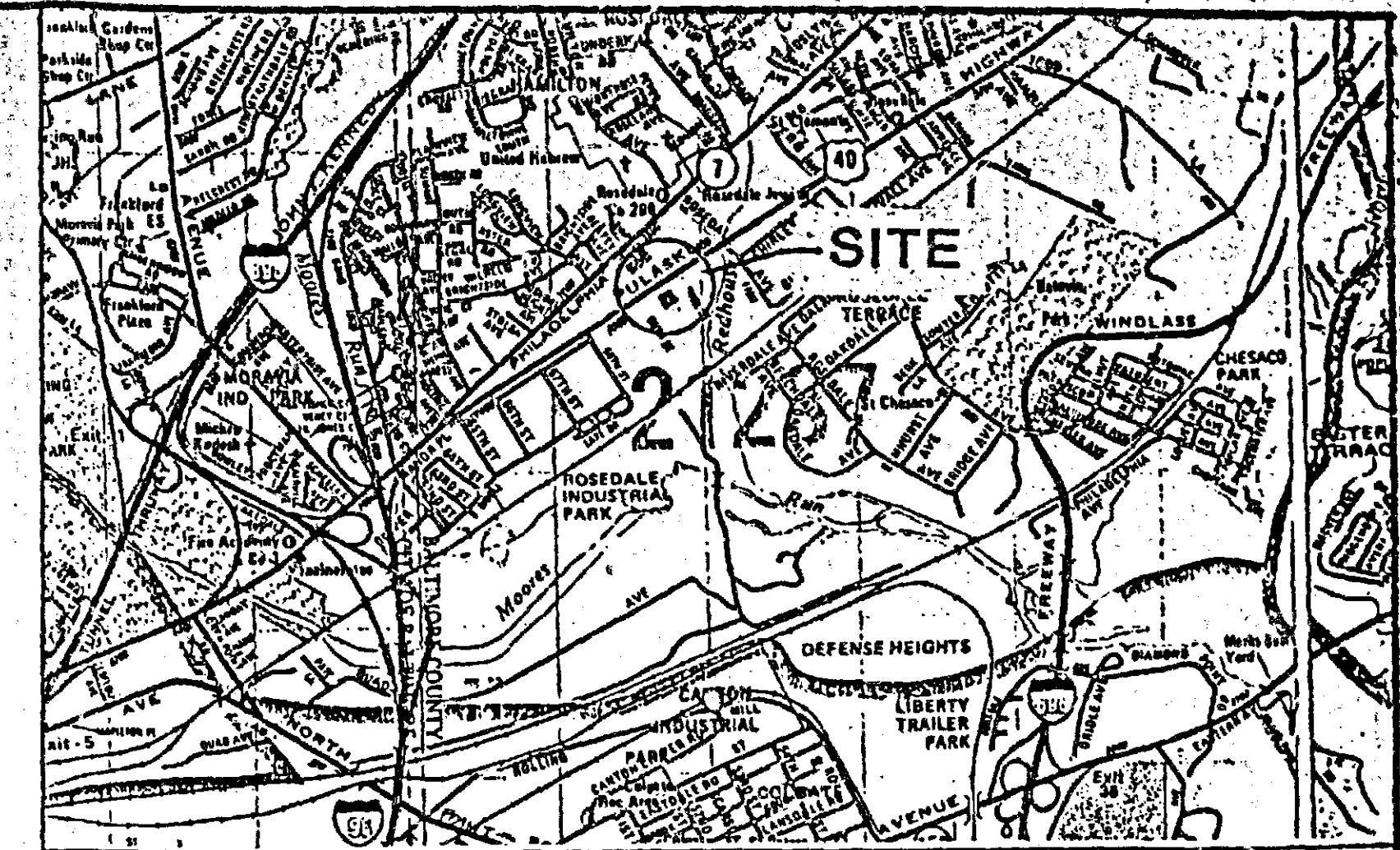
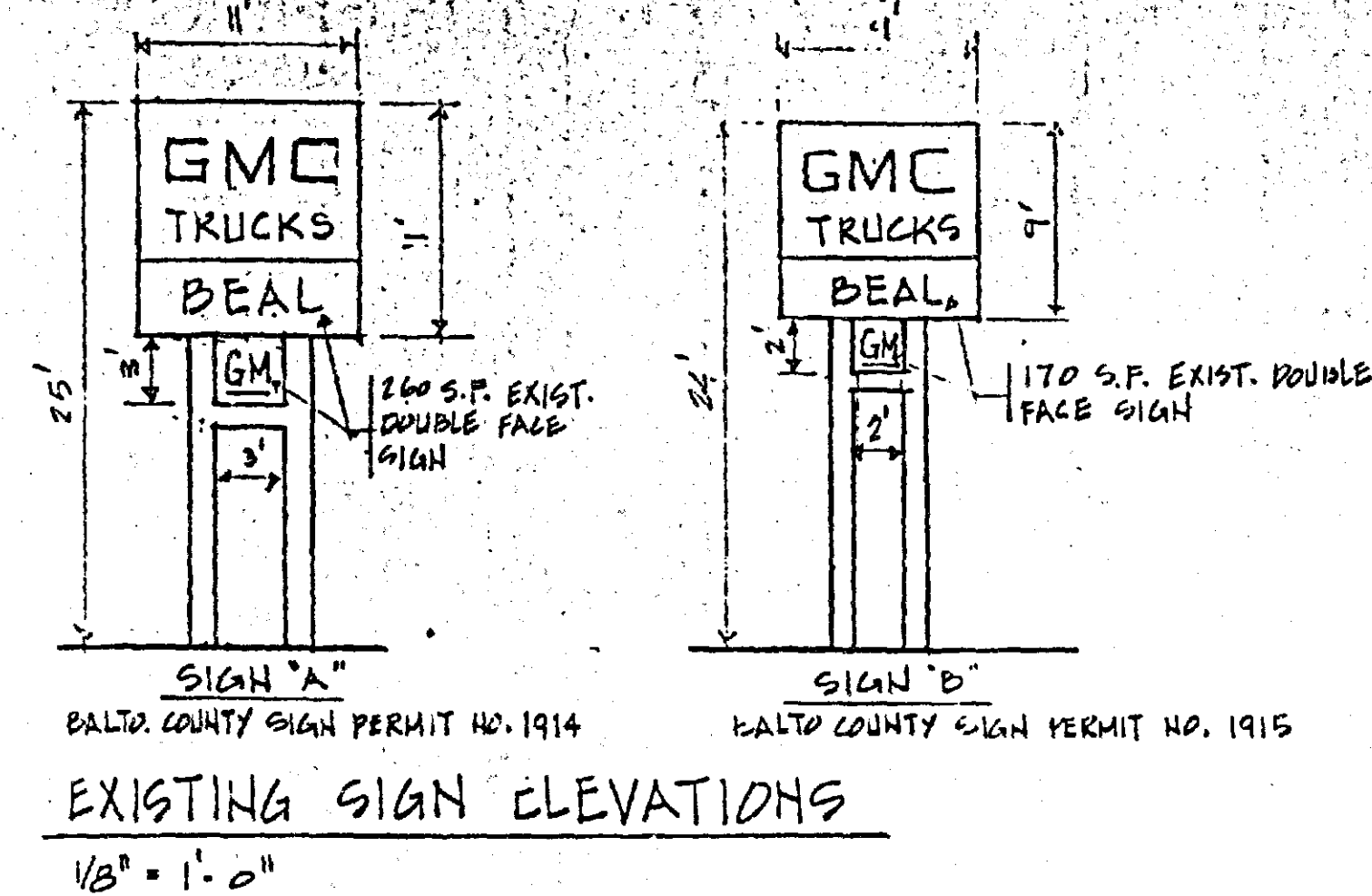
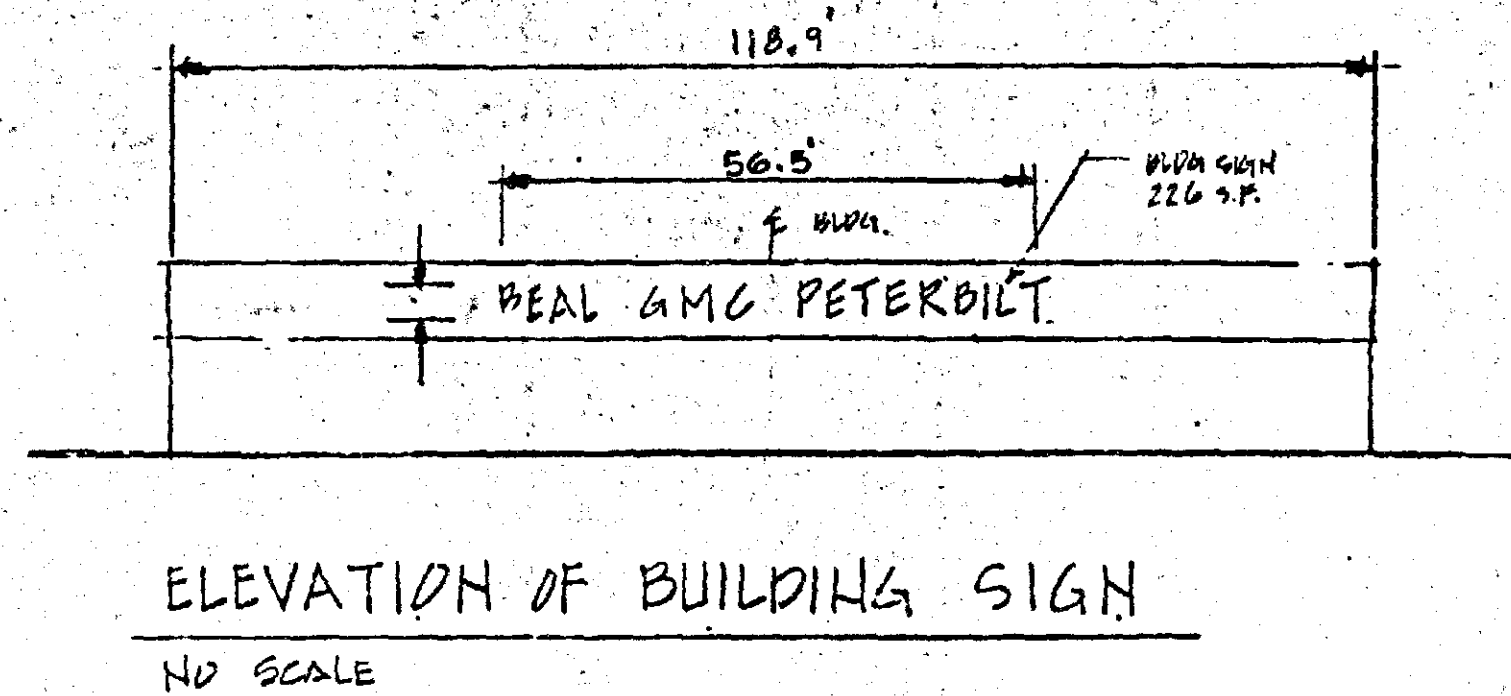
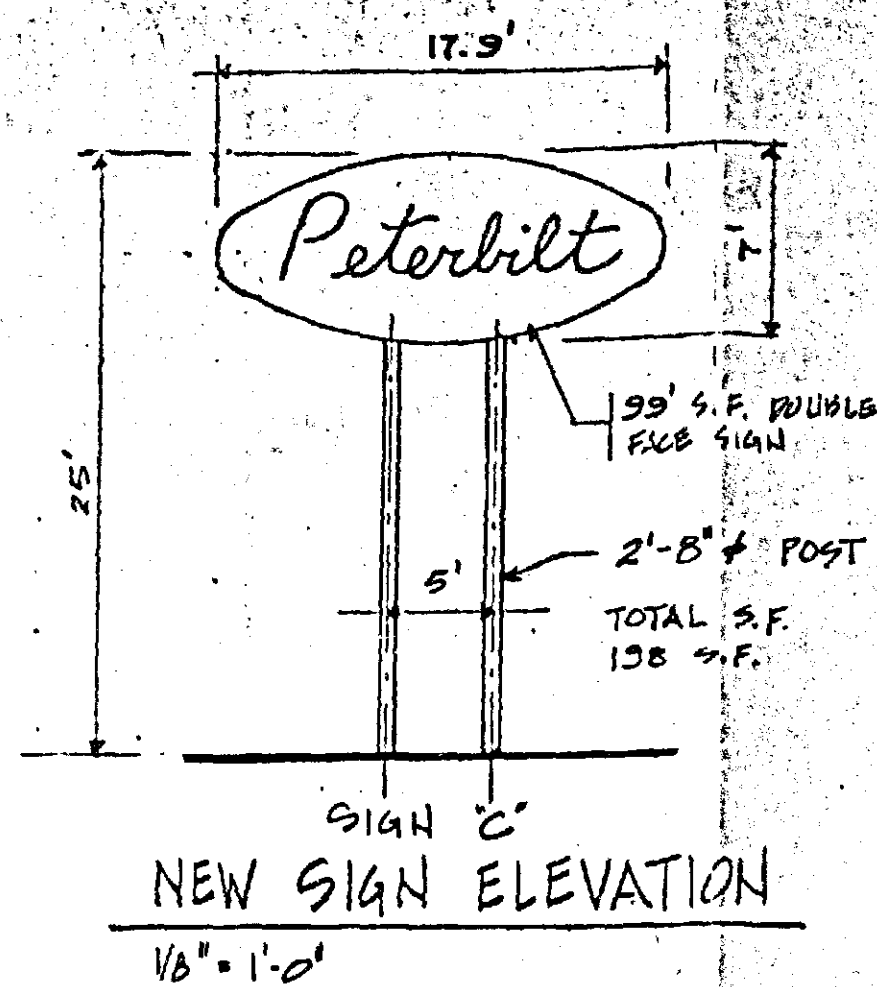
1988 COMPREHENSIVE ZONING MAP
 Adopted by the Baltimore County Council
 Oct. 13, 1988
 Ord. Nos. 144-88, 146-88, 147-88, 148-88, 149-88, 150-88
Chairman, County Council

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP

SCALE 1" = 200' ±	LOCATION ROSEDALE	SHEET N.E. 2-E
DATE OF PHOTOGRAPHY JANUARY 1986		

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
 TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
 BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

215
 90-358-A



LOCATION PLAN

1" = 2,000'



SITE DATA

EXISTING BUILDING AREA = 20,064 ± S.F.

ELECTION DISTRICT : 15 TH
EXISTING ZONING : ML-CS-1
ML-1M
MH-1M

TOTAL SITE AREA : 6.03 AC ±

BUILDING AREA TABULATION :

		PARKING REQUIRED
SERVICE	9,660 S.F.	V300 33 SPACES
PARTS	3,360 S.F.	V200 17
OFFICES	3,360 S.F.	V300 12
SHOWROOM	3,684 S.F.	V200 19
TOTALS	20,064 S.F.	81 SPACES

TOTAL CUSTOMER PARKING PROVIDED - STANDARD 102 SPACES
HANDICAP 4

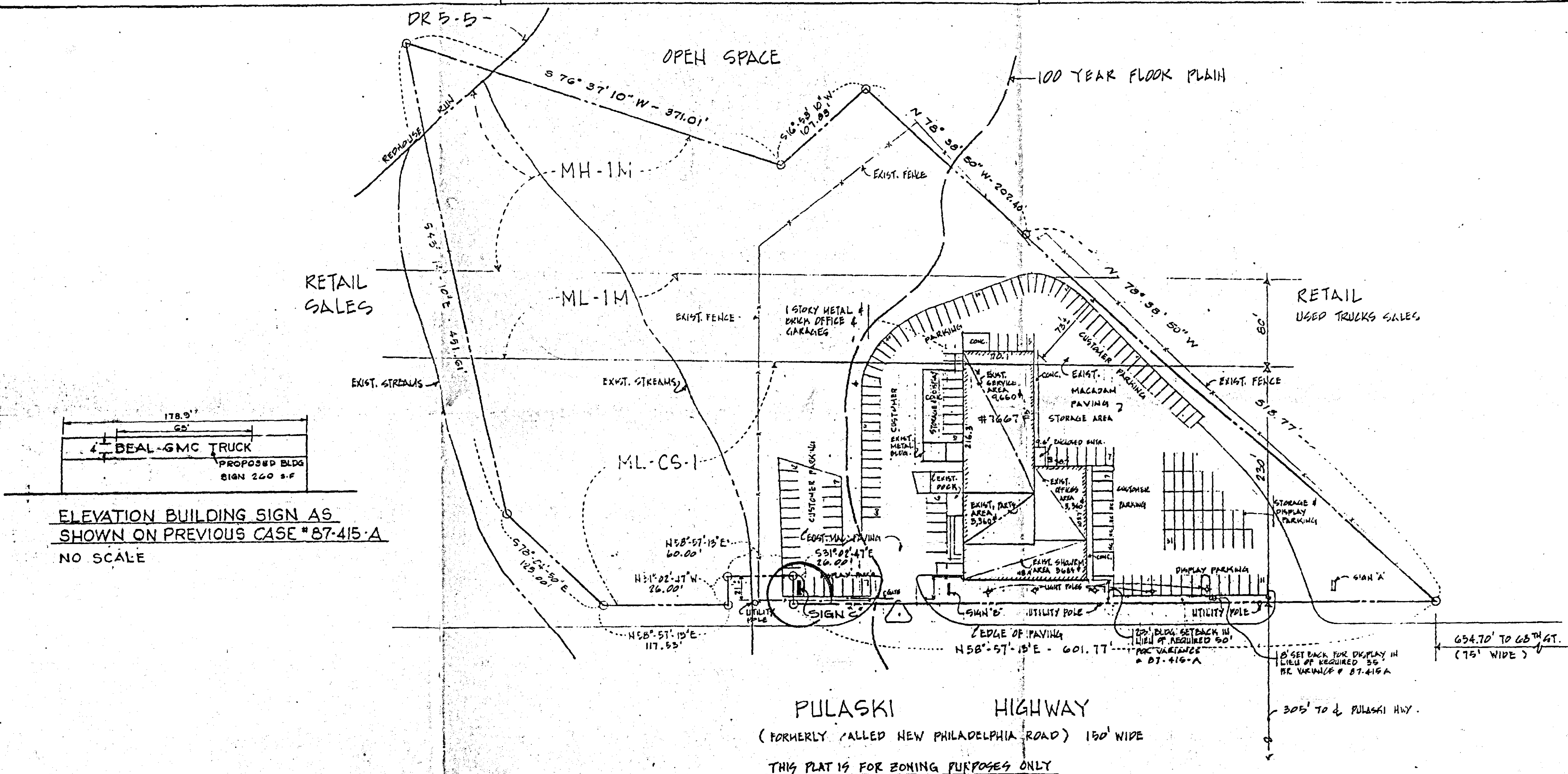
TOTAL STORAGE & DISPLAY PARKING 57 SPACES

TOTAL = 163 SPACES
PARKING SPACE SIZE - STANDARD SPACE = 9' x 18'
HANDICAP SPACE = 12' x 18'

OWNER : WILKIE BUICK PINHOOT CORP.
1750 NORTH BROAD STREET
PHILADELPHIA, PA. 19121

NOTE : THIS PLAT WAS COMPILED FROM DATA PREPARED BY: SPOTTS, STEVENS & MCCOY, INC. DATED: AUGUST 8, 1986.
WILLIAM R. SUPELK & ASSOCIATES, INC.

PETITIONER'S
EXHIBIT 1
90-358A



SITE PLAN

1" = 60'-0"



THIS PLAN IS FOR ZONING PURPOSES ONLY

BPS land technology inc.
Engineers & Surveyors
P.O. BOX 5614
Baltimore, Maryland
301-435-0800



BEAL GMC TRUCK, INC.
BALTIMORE COUNTY, MARYLAND

PLAT TO ACCOMPANY ZONING VARIANCE
7667 PULASKI HIGHWAY
BALTIMORE COUNTY, MARYLAND

215
90-358-A